

Exhibit G

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
3 SOUTHERN DIVISION

4 GARY BRICE McBAY,
5 Plaintiff,

6 VERSUS CIVIL ACTION NO: 1:07cv1205LG-RHW
7

8 HARRISON COUNTY, MISSISSIPPI,
9 by and through its Board of
10 Supervisors; HARRISON COUNTY
11 SHERIFF, George Payne, in his
12 official capacity; CORRECTIONS
13 OFFICER MORGAN THOMPSON,
14 acting under color of state law,
15 Defendants.

16 30(b)(6) DEPOSITION OF HARRISON
17 COUNTY SHERIFF'S DEPARTMENT,
18 GEORGE H. PAYNE, JR., DESIGNEE

19 Taken at the offices of Dukes, Dukes,
20 Keating & Faneca, P.A., 2909 13th
21 Street, Sixth Floor, Gulfport,
22 Mississippi, on Thursday, October 1,
23 2009, beginning at 9:05 a.m.

24 APPEARANCES:

25 PATRICK R. BUCHANAN, ESQUIRE
 MARK V. WATTS, ESQUIRE
 Brown Buchanan, P.A.
 796 Vieux Marche' Mall, Suite 1
 Biloxi, Mississippi 39530
 ATTORNEYS FOR PLAINTIFF

1 Q. And who would have been the person that
2 did that investigation?

3 A. It would have either been Major Riley or
4 Steve Campbell with our professional standards
5 unit to see if there's any validity to it, to see
6 if the people were still working there, did we
7 have complaints, was it something we knew about or
8 didn't know about, things of that nature.

9 Q. Do you know whether or not Riley or
10 Campbell investigated this?

11 A. I'm sure they did.

12 Q. Do you know what the findings were?

13 A. I don't remember.

14 Q. Do you know whether or not they would
15 have generated a written report relative to their
16 investigation of these concerns?

17 A. If they were founded, yes.

18 Q. Well, that may -- that probably leads to
19 a better question I should have asked you. Are
20 you disputing the findings of the report, Exhibit
21 2?

22 A. I'm not disputing the fact that some
23 people probably told Steve Martin some of these
24 things.

25 Q. All right. Mr. Martin says, These four

1 received from them, if there was something that
2 needed to be looked into it, I assigned it to
3 either Major Riley or the professional standards
4 unit to look into to check on the validity of the
5 report and see if something needed to be done
6 about it.

7 Q. As we sit here today, can you tell me if
8 you remember doing anything to respond to the
9 concerns raised by Mr. Martin in this report,
10 Exhibit 2?

11 A. I just told you that.

12 Q. Well, you've told me what you -- the
13 general occurrence.

14 A. Every time. I just didn't ignore them.
15 Something was done.

16 Q. And I'm not trying to imply that. What
17 I'm trying to find out is -- obviously, there's
18 some disturbing language here in Exhibit 2, this
19 report; would you agree with that?

20 A. Yeah.

21 Q. All right. What I'm, then, trying to
22 find out is -- you say you responded, and I'm
23 asking you, based on your best memory, if you
24 remember what exactly you did in response?

25 A. Not only did we respond in-house, I

1 would report back to Steve over the telephone. He
2 and I talked once or twice a month.

3 Q. Do you remember if all four or any four
4 of these officers that are referenced in this
5 report were disciplined in any way?

6 A. I don't have any recollection of that.
7 We had a lot of disciplinary actions going on, a
8 lot of hearings, a lot of people coming and going.

9 Q. Do you know what, if anything, the board
10 of supervisors did in response to this report,
11 Exhibit 2?

12 A. I have no idea.

13 Q. Can I get that back from you? And we'll
14 put it here.

15 And you've referenced him. Steve
16 Campbell, Captain Campbell was the head of your
17 Professional Standards Department?

18 A. Correct.

19 Q. And he's no longer with the jail?

20 A. No.

21 Q. When did he leave?

22 A. The same time I did.

23 Q. And did he retire?

24 A. I don't know if he did or didn't. He's
25 retired from the Mississippi Bureau of Narcotics.

1 Q. And what did he tell you was
2 specifically addressed in it?

3 A. I don't remember. Like I said,
4 Mr. Martin and I talked probably twice a month.

5 Q. All right. Back to my original
6 question, then: These pleas, how did you miss
7 what was going on in booking?

8 A. I probably depended too much on the FBI
9 and justice and finding out what was going on and
10 not reporting it.

11 Q. Do you believe that this is a -- this
12 problem in these plea exhibits is a problem you
13 should have known about?

14 A. Yeah. I don't know if it was possible
15 for me to know about it, but I wish I'd have known
16 about it.

17 Q. Why wouldn't it be possible for you to
18 know about it?

19 A. Well, I mean, if it was concealed -- and
20 it appears they concealed it, concealed it from
21 everybody, not only concealed it to me, but
22 concealed it from the FBI and the justice
23 department and the National Institute of
24 Corrections, which I had in that place probably a
25 half a dozen times.

1 A. I don't know anybody that had any
2 knowledge.

3 MS. YOUNG:

4 Q. You stated for the record that you
5 thought that the board of supervisors received the
6 quarterly reports; but do you have any personal
7 knowledge whether they received these reports?

8 A. No, if Mr. Meadows didn't deliver it to
9 them. His name was on the letterhead.

10 Q. Okay. But you, yourself, never gave
11 them these reports?

12 A. No.

13 Q. And do you have any recollection of ever
14 speaking with any board of supervisor about Steve
15 Martin's report?

16 A. William Martin.

17 Q. About Steve Martin's report.

18 A. William Martin.

19 Q. And what did you discuss with William
20 Martin?

21 A. I can't remember. He was -- you know,
22 during some of our meetings, our board meetings
23 and things of that nature.

24 Q. And when you say the board meetings, are
25 you talking about that committee --